

When no objections are timely filed, a district court reviews the magistrate judge's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Hightower (ECF No. 20) is **ADOPTED**.

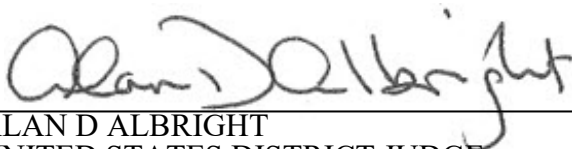
IT IS FURTHER ORDERED that Defendants' Motion to Dismiss is **GRANTED-IN-PART** and **DENIED-IN-PART** in accordance with the Report and Recommendation.

IT IS FURTHER ORDERED that Defendant's motion to dismiss Plaintiffs' discrimination claim under 42 U.S.C. § 1981 is **GRANTED** and Plaintiffs' discrimination claim is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that Plaintiffs' request to amend their complaint to replead their discrimination claim is **GRANTED**. The Court **ORDERS** Plaintiffs to amend their complaint to replead their discrimination claim within thirty (30) days of this Order.

IT IS FINALLY ORDERED that Defendant's motion to dismiss Plaintiffs' negligence and wrongful death claims is **DENIED**.

SIGNED this 2nd day of August, 2023.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE